

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

BRAZOS ELECTRIC POWER  
COOPERATIVE, INC.,

Debtor.<sup>1</sup>

Chapter 11

Case No. 21-30725 (DRJ)

BRAZOS ELECTRIC POWER  
COOPERATIVE, INC.,

Plaintiff,

v.

507 Capital LLC; 507 Summit LLC; Cetus  
Capital VI, L.P.; Chase Lincoln First  
Commercial Corporation; Citigroup Financial  
Products Inc.; CrossingBridge Low Duration  
High Yield Fund; Destinations Global Fixed  
Income Opportunities Fund; Destinations Low  
Duration Fixed Income Fund; Koch Energy  
Services LLC; Leaffilter North Holdings, Inc.;  
NJR Energy Services Co.; OFM II, LP; OU 2  
LLC; RiverPark Short Term High Yield;  
RiverPark Strategic Income Fund; Total Gas  
& Power North America, Inc.; and Two Seas  
Global (Master) Fund LP,

Defendants.

Adv. Proc. No. 21-04407(DRJ)

**STIPULATION AND AGREED ORDER SETTING SCHEDULE FOR RESPONDING  
TO THE DEBTOR'S COMPLAINT**

**WHEREAS**, on November 22, 2021, Brazos Electric Power Cooperative, Inc. (“Brazos Electric” or the “Debtor”) filed its omnibus objection and complaint (the “Complaint”) objecting to the amounts and classification of the proofs of claim filed by 507 Capital LLC (216); 507

---

<sup>1</sup> The Debtor in this Chapter 11 case, along with the last four digits of its federal tax identification number is Brazos Electric Power Cooperative, Inc. (4729). Additional information regarding this case may be obtained on the website of the Debtor's claims and noticing agent at <http://cases.stretto.com/Brazos>. The Debtor's address is 7616 Bagby Avenue, Waco, TX 76712.

Summit LLC (106); Cetus Capital VI, L.P. (113, 110, 214); Chase Lincoln First Commercial Corporation (335); Citigroup Financial Products Inc. (385); CrossingBridge Low Duration High Yield Fund (115, 207); Destinations Global Fixed Income Opportunities Fund (213); Destinations Low Duration Fixed Income Fund (114, 208); Koch Energy Services LLC (“Koch”) (319); Leaffilter North Holdings, Inc. (110, 210); NJR Energy Services Company (“NJRES”) (167); OFM II, LP (108, 110, 114, 115, 215); OU 2 LLC (211); RiverPark Short Term High Yield (113, 206); RiverPark Strategic Income Fund (212); Total Gas & Power North America, Inc. (“Total”) (350); and Two Seas Global (Master) Fund LP (106) (collectively the “Gas Claimants”).<sup>2</sup>

**WHEREAS**, counsel for the Debtor and the Gas Claimants wish to set a schedule for responding to the Complaint and briefing any motions that may be filed in response to the Complaint;

**NOW, THEREFORE, IT IS HEREBY STIPULATED, AGREED, AND ORDERED:**

1. Counsel for each of the respective Gas Claimants agrees to accept service of the Complaint and related summons via email.
2. The Gas Claimants’ responses to the Complaint shall be filed and served via e-mail on or before January 7, 2022.
3. The Debtor’s response to any motions filed by the Gas Claimants in response to the Complaint shall be filed and served via e-mail by February 7, 2022.
4. Any related reply briefs shall be filed and served via e-mail by March 2, 2022.
5. This Stipulation and Agreed Order is immediately effective upon entry by the Court.

---

<sup>2</sup> Numbers in the parentheses denote the claim number in the Debtor’s official Claims Register.

6. Neither this Stipulation and Agreed Order nor any of its terms may be modified, altered, amended or waived, except in writing signed by the Parties hereto and approved by the Court.

7. This Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Stipulation and Agreed Order, and the undersigned parties (on behalf of their respective clients) hereby consent to such jurisdiction solely for the purpose of resolving any disputes or controversies arising from or related to this Stipulation and Agreed Order.

**IT IS SO ORDERED**

**Signed on:** \_\_\_\_\_

\_\_\_\_\_  
HON. DAVID R. JONES  
UNITED STATES BANKRUPTCY JUDGE

**AGREED TO BY:**

**FOLEY & LARDNER, LLP**

/s/ Ronald L. Oran, Jr.  
Ronald L. Oran, Jr.  
State Bar No. 24072268  
Email: [roran@foley.com](mailto:roran@foley.com)  
Drake Lawsage  
State Bar No. 24102070  
Email: [dlawsage@foley.com](mailto:dlawsage@foley.com)  
Jennifer N. Huckleberry  
State Bar No. 24118414  
Email: [jhuckleberry@foley.com](mailto:jhuckleberry@foley.com)  
1000 Louisiana Street, Suite 2000  
Houston, TX 77002  
Telephone: 713.276.5500  
Facsimile: 713.276.5555

-and-

Holland N. O'Neil  
State Bar No. 14864700  
Email: [honeil@foley.com](mailto:honeil@foley.com)  
2021 McKinney Avenue, Suite 1600  
Dallas, Texas 75201  
Telephone: 214.999.4961  
Facsimile: 214.999.4667

-and-

Timothy C. Mohan  
State Bar No. 50559  
Email: [tmohan@foley.com](mailto:tmohan@foley.com)  
600 17<sup>th</sup> Street, Suite 2020S  
Denver, CO 80202  
Telephone: 720.437.2000  
Facsimile: 720.437.2200

**SPECIAL COUNSEL AND CONFLICTS  
COUNSEL TO THE DEBTOR**

**CLEARY GOTTlieb STEEN &  
HAMILTON LLP**

/s/ Jane VanLare  
John Veraja  
Jane VanLare  
One Liberty Plaza  
New York, NY 10006  
Telephone: (212) 225-2000  
[jveraja@cgsh.com](mailto:jveraja@cgsh.com)  
[jvanlare@cgsh.com](mailto:jvanlare@cgsh.com)

-and-

**AHMAD, ZAVITSANOS, ANAIPAKOS,  
ALAVI & MENSING PC**

Demetrios Anaipakos  
State Bar No. 00793258, Federal I.D. 20323  
Monica Uddin  
State Bar No. 24075195 Federal I.D. 1138459  
1221 McKinney Street, Suite 2500  
Houston, Texas 77010  
Tel: (713) 655-1101  
Fax: (713) 655-0062  
[danaipakos@azalaw.com](mailto:danaipakos@azalaw.com)  
[muddin@azalaw.com](mailto:muddin@azalaw.com)

**COUNSEL TO TOTAL GAS & POWER  
NORTH AMERICA, INC.**

**GIBBONS P.C.**

/s/ Mark B. Conlan  
Robert K. Malone (*admitted pro hac vice*)  
Mark B. Conlan (Bar No. NJ0270120)  
One Gateway Center  
Newark, New Jersey 07102  
Telephone: (973) 596-4500  
Facsimile: (973) 596-0405  
[rmalone@gibbonslaw.com](mailto:rmalone@gibbonslaw.com)  
[mconlan@gibbonslaw.com](mailto:mconlan@gibbonslaw.com)

**ATTORNEYS FOR NJR ENERGY  
SERVICES COMPANY**

**AMINI LLC**

/s/ Jeffrey Chubak

Avery Samet  
Jeffrey Chubak  
131 West 35<sup>th</sup> Street, 12<sup>th</sup> Floor  
New York, NY 10001  
Telephone: (212) 490-4700  
asamet@aminillc.com  
jchubak@aminillc.com

**COUNSEL TO 507 CAPITAL LLC; 507  
SUMMIT LLC; CETUS CAPITAL VI, L.P.;  
CROSSINGBRIDE LOW DURATION HIGH  
YIELD FUND; DESTINATIONS GLOBAL  
FIXED INCOME OPPORTUNITIES FUND;  
DESTINATIONS LOW DURATION FIXED  
INCOME FUND; LEAFFILTER NORTH  
HOLDINGS, INC.; OFM II, LP; OU 2, LLC;  
RIVERPARK SHORT TERM HIGH YIELD  
FUND; RIVERPARK STRATEGIC INCOME  
FUND; AND TWO SEAS GLOBAL (MASTER)  
FUND LP**

**YETTER COLEMAN LLP**

/s/ Bryce L. Callahan

Bryce L. Callahan  
811 Main Street, Suite 4100  
Houston, TX 77002  
Telephone: (713) 632-8000  
bcallahan@yettercoleman.com

- and -

**KATTEN MUCHIN ROSENMAN LLP**

/s/ Bryce L. Callahan

John E. Mitchell  
Yelena E. Archiyan  
2121 North Pearl St., Ste. 1100  
Dallas, TX 75201  
Houston, TX 77002  
Telephone: (214) 765-3600  
Yelena.archiyan@katten.com  
John.mitchell@katten.com

**COUNSEL TO ETC MARKETING, LTD.**

**ALSTON & BIRD LLP**

/s/ David Wender

David Wender  
1201 W Peachtree Street  
Atlanta, GA 30309  
Telephone: (404) 881-7354  
david.wender@alston.com

**COUNSEL TO CHASE LINCOLN FIRST  
COMMERCIAL CORPORATION AND  
KOCH ENERGY SERVICES LLC**

**BRACEWELL LLP**

/s/ Robert G. Burns

Robert G. Burns  
1251 Avenue of the Americas, 49<sup>th</sup> Floor  
New York, NY 10020  
Telephone: (212) 508-6100  
Robert.burns@bracewell.com

- and -

Mark E. Dendinger  
CityPlace I, 34<sup>th</sup> Floor  
185 Asylum Street  
Hartford, CT 06103  
Telephone: (860) 947-9000  
Mark.dendinger@bracewell.com

**COUNSEL TO TENASKA MARKETING  
VENTURES**